

Remarks

Acceptance/formal entry therefor of this Amendment, which, applicants submit, renders the application allowable, is respectfully requested. Supportive discussion follows.

Applicants note with appreciation the indication that dependent claims 25 and 26 are directed to allowable subject matter and that these claims would be formally allowed upon being re-presented in an appropriate self-contained format. (Page 7, Item 8, of the Detailed Action.) Accordingly, applicants have decided, at this time, to cancel the rejected claims 1-24 and to re-present the objected dependent claims 25 and 26 in an appropriate self-contained format thereby rendering them allowable. Additionally, the newly added claims likewise have as a basis the previously indicated allowable subject matter. This is further explained below.

With the above-made amendments, claims 25-30 are now pending of which claims 25-27 were amended and claims 28-30 were newly presented. With the canceling of original claims 1-24, the standing rejections on "obviousness-type double patenting" grounds, as set forth under Items 6 and 7, covering pages 2-6, of the Detailed Action, have been rendered moot. Applicants submit, however, agreeing to the canceling of the rejected claims 1-24 should not be construed as an acquiescence with regard to the merits of the previously outstanding "non-statutory" double patenting rejections directed thereto. Rather, the canceling of these claims is being effected, noting that no other issues are outstanding, in consideration of applicants receiving an early formal notification of allowability.

Turning to the currently pending claims, original dependent claims 25-27 were amended in the manner to render them allowable. Specifically, the subject matter of corresponding independent claim 23 (now canceled) was incorporated into that of claim 25 (which contains allowable subject matter) thereby rendering the latter in an

appropriate self-contained format. Likewise, original dependent claim 26 (which was indicated as being otherwise allowable) was re-written in a self-contained format. That is, the contents of corresponding independent claim 23 and that of intervening claim 25 were incorporated into claim 26, thereby rendering the latter in an appropriate self-contained format. With regard to original claim 27, although it was rejected on "obviousness-type double patenting grounds," it is being re-presented, however, in a self-contained format, incorporating the previously indicated allowable subject matter contained in claim 25 as combined with claim 23. Specifically, the subject matter of independent claim 23 along with that of intervening claim 25 was incorporated into that of claim 27, thereby also rendering claim 27 in an allowable claimed format.

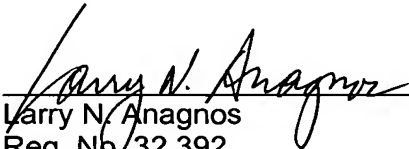
The newly presented dependent claims 28-30 are also considered allowable, applicants submit, since they contain previously allowable subject matter as well as also being dependent on allowable independent claims. Specifically, new claim 28 (dependent on allowable claim 25) further sets forth the subject matter of original claims 24 and 27; new claim 29 (dependent on allowable claim 26) further sets forth the subject matter of original claims 24 and 27; and new claim 30 (dependent on now allowable claim 25) combines the subject matter of original claims 24 and 26. It is submitted, since the newly added claims 28-30 have as a basis allowable independent claims, they should likewise be considered allowable for the same and similar reasons.

Therefore, in view of the amendments presented hereinabove together with these accompanying remarks, favorable action therefor on the presently pending claims, i.e., claims 25-30, and an early formal notification of allowability of the above identified application is respectfully requested.

S.N. 10/764,539

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Dep. Acct. No. 01-2135 (843.40341CX1), and please credit any excess fees to such deposit account.

Respectfully submitted,
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